

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:14-cv-531

WILLIAM J. JOHNSON, III,
Plaintiff,

vs.


NANCY A. BERRYHILL,
ACTING COMMISSIONER OF
SOCIAL SECURITY
ADMINISTRATION,
Defendant.

)
)
) ORDER APPROVING
) APPLICATION FOR
) ATTORNEY FEES UNDER
) THE EQUAL ACCESS TO
) JUSTICE ACT
)
)
)

Plaintiff's counsel file a motion for approval of attorney's fees under section 206(b) of the Social Security Act, 42 U.S.C. § 406(b), in the amount of \$26,600.00 Attorney's fees under section 206(b) are paid from past-due benefits awarded to a successful claimant. 42 U.S.C. § 406(b). Plaintiff has previously been awarded attorney's fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412, in the amount of \$4,622.00.

It is ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$26,600.00, and refund to the Plaintiff the smaller award between this amount and the EAJA award.

SO ORDERED, this the 26th day of April, 2017.



KIMBERLY A. SWANK

United States Magistrate Judge